

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
ELKINS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**Crim. Action No. 2:14-CR-05-3
(BAILEY)**

JAMIE NICOLE CHIDESTER,

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION

On this day, the above-styled matter came before the Court for consideration of the Report and Recommendation of United States Magistrate Judge John S. Kaull. By Local Rule, this action was referred to Magistrate Judge Kaull for submission of a Report and Recommendation ("R&R"). On April 29, 2014, Magistrate Judge Kaull filed his R&R [Doc. 61] recommending that Defendant Jamie Nicole Chidester's Motion to Suppress Evidence [Doc. 56] be denied.

Pursuant to 28 U.S.C. § 636(b)(1)(c), this Court is required to make a *de novo* review of those portions of the magistrate judge's findings to which objection is made. However, the Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. ***Thomas v. Arn***, 474 U.S. 140, 150 (1985). In addition, failure to file timely objections constitutes a waiver of *de novo*

review and the right to appeal this Court's Order. 28 U.S.C. § 636(b)(1); **Snyder v. Ridenour**, 889 F.2d 1363, 1366 (4th Cir. 1989); **United States v. Schronce**, 727 F.2d 91, 94 (4th Cir. 1984). Here, pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b), objections to Magistrate Judge Kaull's R&R were due within fourteen (14) days.

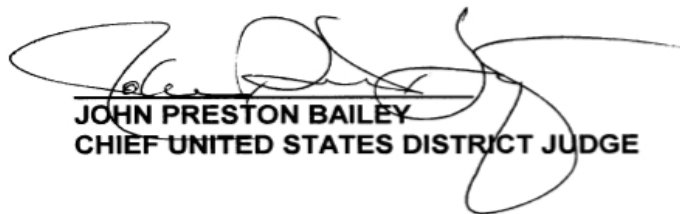
On May 5, 2014, the Government filed a Response [Doc. 62] to the R&R, noting that it had no objections to same. Defendant Jamie Nicole Chidester filed no objections to the R&R. Accordingly, this Court will review the R&R for clear error.

Upon careful review, this Court finds that Magistrate Judge Kaull's R&R [Doc. 61] should be, and is hereby, **ORDERED ADOPTED** for the reasons stated therein. Consequently, Defendant's Motion to Suppress Evidence [Doc. 56] is **DENIED**.

It is so **ORDERED**.

The Clerk is directed to transmit copies of this Order to counsel of record herein.

DATED: May 19, 2014.



JOHN PRESTON BAILEY
CHIEF UNITED STATES DISTRICT JUDGE